

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 13-53846

CITY OF DETROIT, MICHIGAN,

Chapter 9

Debtor.

Judge Thomas J. Tucker

**ORDER GRANTING, IN PART, CITY OF DETROIT'S MOTION
FOR CERTAIN RELIEF AGAINST COURTNEY D. PAYTON
AND HIS ATTORNEYS (DOCKET # 11894)**

This case came before the Court for a hearing on July 19, 2017, regarding the City of Detroit's motion entitled "City of Detroit's Motion for (I) Determination That Courtney D. Payton Willfully Violated This Court's Order Granting Motion to Enforce, Entered at Docket Number 10743, and (II) Awarding Compensatory and Punitive Sanctions" (Docket # 11894, the "Payton Motion"). On August 30, 2017, the Court held a hearing and issued a bench opinion regarding the Payton Motion. For the reasons stated by the Court in its bench opinion,

IT IS ORDERED that:

1. The Payton Motion (Docket # 11894) is granted to the extent of the relief provided in this Order, and otherwise is denied.
2. The Court finds Courtney D. Payton in civil contempt for violating this Court's Order filed January 29, 2016 (Docket # 10743), and this Court's Bar Date Order filed November 21, 2013 (Docket # 1782).
3. No later than September 6, 2017, Courtney D. Payton must dismiss, or cause to be dismissed, with prejudice, Case No. 17-005922-NF filed in the Wayne County, Michigan Circuit Court (the "2017 State Court Action").
4. Courtney D. Payton is enjoined and prohibited from ever again filing any lawsuit in any court asserting any claim, or seeking any relief, against the City of Detroit or property of the City of Detroit, arising from, relating to, or having anything to do with the June 8, 2004 automobile accident referred to in ¶ 6 of Payton's Complaint filed in the 2017 State Court Action.¹
5. Courtney D. Payton is liable to pay the City of Detroit the amount of all reasonable attorney fees and expenses incurred by the City of Detroit in defending against the 2017 State Court Action and in filing and prosecuting the Payton Motion. The amount of such fees and expenses will be determined by the following procedure:

¹ A copy of Payton's 2017 Complaint is attached as Exhibit 6D to the Payton Motion (Docket # 11894).

- a. No later than September 6, 2017, the City of Detroit must file an itemization of such attorney fees and expenses.
- b. No later than September 13, 2017, Courtney D. Payton must file any objections or responses to the City of Detroit's itemization.
- c. If no objection or response is filed by the September 13, 2017 deadline, the Court will enter an award setting the amount of reasonable attorney fees and expenses.
- d. If a timely objection or response to the City of Detroit's itemization is filed, the Court will either enter an order, or schedule a further hearing.²

Signed on August 31, 2017



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge

² As an alternative to the procedures stated in this Order, if at any point the parties agree on the amount of such reasonable attorneys fees and expenses, they may file a stipulation and submit a proposed order.